

Nos. 24-1380, 1480, 1493, 1516

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

ZIMMER RADIO OF MID-MISSOURI INC., ET AL.

Petitioners

ABC TELEVISION AFFILIATES ASSOCIATION, ET AL.

Intervenors

v.

FEDERAL COMMUNICATIONS COMMISSION, ET AL.

Respondents

NCTA – THE INTERNET & TELEVISION ASSOCIATION, ET AL.

Intervenors

On Petitions for Review from the
Federal Communications Commission

**CONSENT MOTION OF COMMON CAUSE, FREE PRESS,
FUTURE OF MUSIC COALITION, MUSICFIRST COALITION,
NATIONAL ASSOCIATION OF BROADCAST EMPLOYEES AND
TECHNICIANS—COMMUNICATIONS WORKERS OF AMERICA
AND UNITED CHURCH OF CHRIST, OFFICE OF
COMMUNICATION, INC. TO FILE *AMICI CURIAE* BRIEF IN
SUPPORT OF RESPONDENTS**

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Communication, Inc.*

Pursuant to FRAP 29(a)(3), Common Cause, Free Press, Future of Music Coalition, musicFIRST Coalition, National Association of Broadcast Employees and Technicians—Communications Workers of America and United Church of Christ, Office of Communication, Inc. (Amici) respectfully move for leave to file an amicus curiae brief in support of Respondents. The brief for which leave is sought accompanies this motion.

This brief is permitted under FRAP 29(a)(2) because all parties have consented to its filing.

INTERESTS OF AMICI CURIAE

Amici have been active participants in the Federal Communications Commission’s docket considering media ownership rules for two decades.

Common Cause, one of the nation’s leading democracy organizations with over 1.5 million members, was founded as a nonpartisan “citizens’ lobby” whose primary mission is to protect and defend the democratic process and make government accountable to the interests of ordinary people. Common Cause promotes, on a nonpartisan basis, its members’ interest in open, honest, and accountable government

and political representation. Common Cause believes our democracy works best when we can access rich and varied information via the media and has participated as a party or amicus in numerous court cases related to voting rights and media consolidation.

Free Press is a non-partisan, nonprofit organization focusing on the media and technology landscape. Its advocacy promotes local journalism, defends press freedom, uplifts diverse voices in media, and challenges old and new media to serve the public interest. It believes positive social change, racial justice, and meaningful engagement in public life require equitable access to open channels of communication, diverse and independent ownership of media platforms, and journalism that holds leaders accountable.

The musicFIRST Coalition is a national coalition of musicians, recording artists, singers, producers, engineers, managers, music businesses, musicians' unions, and record labels (big and small) that works to ensure that music creators receive fair compensation for their work on all media platforms. The founding members of musicFIRST include the SoundExchange, Recording Academy, the Latin Recording Academy, American Association of Independent Music, the American

Federation of Musicians, the Recording Industry Association of America, the Screen Actors Guild-American Federation of Television and Radio Artists, the Society of Singers, Inc., the Christian Music Trade Association, the Music Managers Forum, Rhythm and Blues Foundation, and the Vocal Group.

Future of Music Coalition is a nonprofit organization supporting a musical ecosystem where artists flourish and are compensated fairly and transparently for their work. FMC promotes strategies, policies, technologies, and educational initiatives that put artists first while recognizing the role music fans play in shaping the future and works to ensure that diversity, equality, and creativity drive artist engagement with the global music community, and that these values are reflected in laws, licenses, and policies that govern any industry that uses music as raw material for its business.

National Association of Broadcast Employees and Technicians—Communications Workers of America (NABET-CWA) is the largest communications and media labor union in the United States. Its membership consists of workers in the communications and information industries, in news media, airlines, broadcast and cable television, public

service, higher education, health care, manufacturing, video games, and high tech. CWA takes an active role advocating for its members, including in litigation as a party or amicus.

The United Church of Christ Office of Communication, Inc. (UCC Media Justice) is the United Church of Christ Media Justice Ministry. The UCC is a faith community rooted in justice that recognizes the unique power of the media and technology to shape public understanding and thus society. Established in 1959, UCC Media Justice established the right of all citizens to participate at the Federal Communications Commission as part of its efforts to ensure a television broadcaster in Jackson, Mississippi served its African-American viewers during the civil rights movement. It continues to press for media justice and communications rights today. The Cleveland-based denomination has almost 5,000 local congregations across the U.S.

DESIRABILITY OF AMICUS BRIEF

As noted above, Amici have participated vigorously before the Federal Communications Commission and in appellate review of the Quadrennial Review proceedings below and in prior Quadrennial Reviews, most of them for two decades. Several Amici were Respondents

in *FCC v. Prometheus Radio Project*, 592 U.S. 414 (2021). The parties' expertise and in-depth understanding of the record, the law, and relevant issues will be of assistance to this Court.

Dated: September 20, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2024, I caused the foregoing motion to be electronically filed using the CM/ECF system. I certify that counsel for the parties are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Cheryl A. Leanza

Cheryl A. Leanza